

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not Yet Assigned  
Group : Not Yet Assigned  
Applicants : Ryuichi Morishita et al.  
Application No. : Not Yet Assigned  
Confirmation No. : Not Yet Assigned  
Filed : Concurrently Herewith  
For : MEDICINAL COMPOSITION CONTAINING NF- $\kappa$ B DECOY  
FOR TREATING AND PREVENTING RESPIRATORY  
DISEASES AND METHOD OF USING THE SAME

New York, New York  
January 9, 2006

**Mail Stop PCT**

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97, applicants hereby make of record the documents listed in the enclosed Form PTO/SB/08. Each was first cited in the November 2, 2004 International Search Report (Japanese copy enclosed herewith) issued in the counterpart PCT application, PCT/JP2004/009838. Copies of these documents are enclosed.

U.S. PATENT DOCUMENTS

<u>Patent No.</u>	<u>Issue Date</u>	<u>Applicant</u>
US 6,303,582 B1	October 16, 2001	Eljamal et al.

JAP2004/009838 09 JAN 2006

FOREIGN PATENT DOCUMENTS

<u>Publication No.</u>	<u>Publication Date</u>	<u>Applicant</u>
WO 96/35430 A1 (English language translation provided as US 6,262,033 B1)	November 14, 1996	Fujisawa Pharmaceutical Co., LTD
JP 2002-193813 A (English language translation provided as US 2004/0072726 A1)	July 10, 2002	AnGes MG, Inc.
JP 2001-526634 A (English language translation provided as PCT/US97/20930)	December 18, 2001	Massachusetts Institute of Technology

OTHER DOCUMENTS

Lee et al., "Inhibition of murine asthmatic reactions by antisense oligonucleotide to p65 subunit of nuclear factor (NF)- $\kappa$ B," *FASEB Journal*, 15: p.A663, #523.9 (2001).

Sugiura et al., "New therapies for the airway inflammation in COPD," *Lung Perspectives*, 10: p.174-178 (2002).

Applicants have submitted English translations of the above Japanese documents to the extent they are available to the undersigned.

Applicants have submitted this statement concurrently with the national stage application of PCT/JP2004/009838, and hence it is submitted within the three months of entry into national stage. Therefore, no fee is required in connection with this Statement.

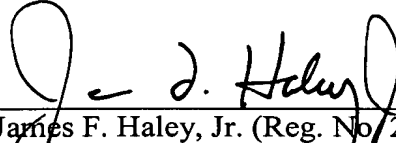
Applicants respectfully request that these documents be (1) considered by the Examiner prior to issuance of any patent from this application; and (2) printed on any patent that may issue from this application. Applicants also request that a copy of enclosed Form

10/564269

IAP20 Rec'd PGT/PTO 09 JAN 2006

PTO/SB/08, as considered and initialed by the Examiner, be returned with the next communication. A duplicate copy of this Statement is transmitted herewith.

Respectfully submitted,



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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if known</b>	
				669634239	
Application Number		Not Yet Assigned			
Confirmation Number		Not Yet Assigned			
Filing Date		Concurrently Herewith			
First Named Inventor		Ryuichi Morishita			
Art Unit		Not Yet Assigned			
Examiner Name		Not Yet Assigned			
Attorney Docket Number		ANGES-9			
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner initials*	Cite No. <sup>1</sup>	Document Number Number – Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US 6,303,582 B1	10/16/ 2001	Eljamal et al.	

FOREIGN PATENT DOCUMENTS							
Examiner initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> – Number <sup>4</sup> – Kind Code <sup>5</sup>					
		WO 96/35430 A1		11/14/1996	Fujisawa Pharmaceutical Co., LTD		✓
		(English language translation provided as US 6,262,033 B1)					
		JP 2002-193813 A		7/10/2002	AnGes MG, Inc.		✓
		(English language translation provided as US 2004/0072726 A1)					
		JP 2001-526634 A		12/18/2001	Massachusetts Institute of Technology		✓
		(English language translation provided as PCT/US97/20930)					

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
		LEE et al., "Inhibition of murine asthmatic reactions by antisense oligonucleotide to p65 subunit of nuclear factor (NF)- $\kappa$ B," <i>FASEB Journal</i> , 15: p.A663, #523.9 (2001).	
		SUGIURA et al., "New therapies for the airway inflammation in COPD," <i>Lung Perspectives</i> , 10: p.174-178 (2002).	

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.